

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 21

BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION

1  
2 STATING FINDINGS OF THE LEGISLATURE AND DIRECTING THE IDAHO WATER RESOURCE  
3 BOARD TO CONTINUE TO WORK EXPEDITIOUSLY WITH LOCAL WATER USERS TO COM-  
4 PLETE A COMPREHENSIVE SETTLEMENT THAT RESOLVES CURRENT TENSIONS AND  
5 CONFLICTS OVER THE USE OF LEMHI BASIN HIGH FLOWS THAT, TO THE BEST OF THE  
6 ABILITIES OF THE PARTICIPATING PARTIES AND IN THE SPIRIT OF COMPROMISE  
7 AND RESOLUTION, IS CONSISTENT WITH PAST PRACTICES, FUTURE NEEDS, AND  
8 IDAHO LAW.

9 Be It Resolved by the Legislature of the State of Idaho:

10 WHEREAS, the Idaho State Legislature adopted Senate Concurrent Resolu-  
11 tion 137 in 2020 during the Second Regular Session of the Sixty-fifth Leg-  
12 islature, directing the Idaho Water Resource Board, with technical support  
13 from the Idaho Department of Water Resources, to work expeditiously with lo-  
14 cal water users to develop a comprehensive settlement that resolves current  
15 tensions and conflicts that are the result of competing water supply demands  
16 in the Lemhi River Basin and that the comprehensive settlement, to the best  
17 of the abilities of the participating parties and in the spirit of compromise  
18 and resolution, is consistent with past practices, future needs, and Idaho  
19 law; and

20 WHEREAS, Senate Concurrent Resolution 137 further directed the Idaho  
21 Water Resource Board to report to the First Regular Session of the Sixty-  
22 sixth Idaho Legislature on implementation of the resolution; and

23 WHEREAS, the Idaho Water Resource Board, with technical support from  
24 the Idaho Department of Water Resources, retained two mediators to facili-  
25 tate discussions with local water users, state agencies, state legislators,  
26 and other affected parties; and

27 WHEREAS, the mediators have conducted nine meetings and engaged in ex-  
28 tensive shuttle diplomacy with the participating parties since June 2020;  
29 and

30 WHEREAS, significant progress has been made in the Lemhi River Basin  
31 settlement discussions, including the development of a framework for re-  
32 solving the current tensions over the use of Lemhi high flows consistent with  
33 past practices, future needs, and Idaho law, and in the resolution of one  
34 major contested case in the basin, consistent with the framework; and

35 WHEREAS, the participating parties are supportive of continuing the  
36 current effort to develop a comprehensive settlement, consistent with the  
37 existing framework and the direction provided by Senate Concurrent Resolu-  
38 tion 137.

39 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-  
40 sion of the Sixty-sixth Idaho Legislature, the House of Representatives  
41 and the Senate concurring therein, that we direct the Idaho Water Resource  
42 Board, with technical support from the Idaho Department of Water Resources,  
43 to continue to work expeditiously with local water users to complete a com-

1 comprehensive settlement that resolves current tensions and conflicts over  
2 the use of Lemhi Basin high flows that, to the best of the abilities of the  
3 participating parties and in the spirit of compromise and resolution, is  
4 consistent with past practices, future needs, and Idaho law.

5 BE IT FURTHER RESOLVED that the Idaho Water Resource Board report to the  
6 Second Regular Session of the Sixty-sixth Idaho Legislature on the implemen-  
7 tation of this resolution, including any comprehensive settlement reached  
8 by the participating parties and any proposed legislation that is needed to  
9 implement any such settlement.